

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

July 24, 2003

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Southern California Division

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Carlsbad, CA 92008

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Mr. John H. Robertus
Executive Officer
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, Calif 92123

Re: File No. 10-3020505.02
Complaint No. R9-2003-0162

Dear Mr. Robertus,

Pursuant to our meeting last week with Region Staff regarding the above referenced complaint, we are confirming agreements reached as to the revised fine amount per the following:

Ryland will pay \$ 88,850 to the State Water Resources Control Board for a deposit into the State's Pollution Cleanup and Abatement Account. A check for the full amount must be submitted no later than September 10, 2003.

Ryland commits to comply with the California State Water Resources Control Board (State Board) Order No. 99-08-DWQ, NPDES General Permit No. CAS000002, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity, now and in the future at all existing and future Ryland construction sites within the San Diego Region.

Civil Liability will be assessed as follows:

Discharge of Sediment to a MS4 and Waters of the Nation

Two days of sediment discharge at \$ 10,000 per day for a total of \$ 20,000.

Failure to Implement Storm Water Pollution Plan

Thirty-five days of failure to implement a Storm Water Pollution Prevention Plan (SWPPP) at \$ 1500 per day for a total of \$ 52,500.

7/31
Mark A ✓
plz proceed w/ this offer for settlement.

Failure to File Notice of Intent

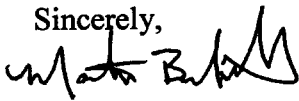
One hundred and ninety-one days of failure to file a Notice of Intent (NOI) at \$ 50 per day for a total of \$ 9550.

Failure to Submit Adequate Technical Report

Sixty-eight days for failure to submit a technical report at \$ 100 per day for a total of \$ 6800.

In addition to the above Ryland waives its rights to petition this settlement to the State Board. Ryland also agrees to publish the attached notice in the Riverside Press Enterprise no later than August 1, 2003, to notify the public of a 30-day period from August 1, 2003 through August 30, 2003, to comment on the terms of the settlement.

Sincerely,



Martin Brumfield
Director of Operations

Cc: Jon Werner
Vince Buchanan
Robert Fontana
Steve Van Lue